REMARKS-General

1. The amended claims 1-2 incorporate all structural limitations of the original claim 1 and include further limitations previously brought forth in the disclosure. No new matter has been included. All claims 1-25 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.

Response to Rejection of Claims 1-25 under 35USC112

2. The applicant submits that the claims 1-25 particularly point out and distinctly claim the subject matter of the instant invention, as pursuant to 35USC112.

Regarding to Rejection of Claims 1-25 under 35USC102

3. Pursuant to 35 U.S.C. 102, "a person shall be entitled to a patent unless:

(e) the **invention** was described in (1) an application for patent, published under section 122(b), by **another** filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the Untied States only if the international application designated the United States and was published ender Article 21(2) of such treaty in the English language."

4. In view of 35 U.S.C. 102(e), it is apparent that a person shall **not** be entitled to a patent when his or her **invention was described** in an application patent which is published under section 122(b) by **another** filed in the United States before the invention by the applicant for patent.

5. However, the Murphy patent (US 6,564,380) and the instant invention are **not the same invention** according to the fact that the independent claim 1 of the Murphy patent does not read upon the instant invention and the independent claim 1 of the instant invention does not read upon the Murphy patent too. Apparently, the instant invention, which discloses a process of accessing live activities and events through

Internet, should not be the same invention as the Murphy patent which discloses a video feed remote control system.

6. If the instant invention is the same invention of the Murphy patent, the examiner may simply reject the claims under 35 U.S.C. 102(b). However, as described above, the instant invention is not identically disclosed in the Murphy patent. Therefore, the Examiner rejects the claims 1-25 under **102(e)**, which states that, "a patent may not be obtained ***though the invention is not identically disclosed or described as set forth in section 102 of this title***, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made."

7. Accordingly, Murphy fails to anticipate the distinctive features of:

(i) capturing at least a live action event having at least one participant carrying at least a video camera supported on **an eye level position of the participant** for capturing the live action event from a point of view of the participant, wherein an angle of the live action event is captured with respect to an eye view of the participant (as claimed in amended claim 1);

(ii) broadcasting the live action event to the subscriber via the central control site through Internet, wherein the subscriber **acts as a first person** to participate the live action event while watching the live action event (as claimed in amended claim 1);

(iii) the participant carrying the video camera via **a head set**, wherein the video camera is mounted on the head set at a position as same as the eye level position of the participant such that the video camera is controlled by the participant according to a head movement thereof (as claimed in amended claim 2);

(iv) the central control site not only acting an information center for subscribers to research information of the live action event through Internet but also forming a central managing center for managing operation of the live action events (as claimed in claims 3-4);

(v) accepting at least a sponsor to support the live action event by placing advertisement on a monitor screen of the subscribers during broadcasting the live action events (as claimed in claims 5-7);

(vi) providing an option menu comprising a data of past live action events, current live action events, and coming live action events for the subscriber to select (as claimed in claims 8-12);

(vii) the option menu further comprising a musical arrangement having a plurality of music adapted for being selected by the subscriber to play during the live action event (as claimed in claims 13-15);

(viii) the participant capable of interacting with the subscribers, via the head set, through a third person relaying messages during the live action event (as claimed in claims 16-20); and

(ix) the central control site providing at least a chat room for the subscribers involved in the live action event to communicate with each other throughout the live action event and thus to communicate with the central control site (as claimed in claims 21-25).

8. The applicant respectfully submits that Murphy never calls the video as live action event (it calls live video). In addition, in column 8, lines 21-26, Murphy merely teaches the video cameras may be installed in fixed locations around the stage, such that no live camera crew is needed to send on-site. It is clearly that Murphy fails to teach and anticipate the same recitation and limitation in the amended claims 1 and 2 of the instant invention of carrying the video camera via a head set to capture the live action event at the eye level of the participant. In other words, the participant physically participate the live action event to capture the live action event at his or her eye level angle. Even Murphy mentions the camera is a movable camera under human operation, the camera is not carried by the camera crew and is only controlled to rove interviews or to zoom in on persons or events occurring outside of the sight angles of the fixed cameras. Throughout the description and claims of Murphy, it never mentions the terms of "**Live action event**". Murphy does not need to carry the camera at the eye level of the participant to capture the LIVE ACTION EVENT. In fact, no participant is participated in the live event disclosed by Murphy.

9. Also, it is not fair and not responsible to reject the instant invention by altering the terms and description of the cited art with the terminologies in the instant invention to make the cited art more related to the subject matters as claimed in the instant invention. The instant invention never mention any live event captured by a fixed camera but particularly points out the subscriber acting as a first person to participate the live action event while watching the live action event via the camera carried at the eye level of the participant.

10. The applicant respectfully submits that Murphy fails neither suggest nor anticipate the distinctive features (i) to (ix) as claimed in the claims 1-25. Accordingly, applicant believes that the rejection of claims 1-25 is improper and should be withdrawn.

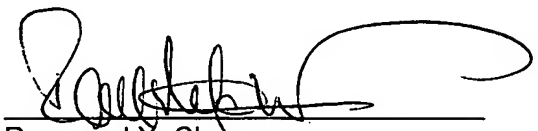
The Cited but Non-Applied References

11. The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

12. In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the objection are requested. Allowance of claims 1-25 at an early date is solicited.

13. Should the Examiner believe that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this corresponding is being deposited with the United States Postal Service by First Class Mail, with sufficient postage, in an envelope addressed to "Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below.

Date: July 13, 2005

Signature: _____

Person Signing: Raymond Y. Chan